

Main Issues

1. Is it sufficient that the FEIS analyzed the change in emissions between the No Build and Preferred Alternative in general (added capacity) but does not analyze the change in air emissions that the Northside community will experience between the No Build and the Preferred Alternative?
2. Is it sufficient that the FEIS relied on national-level modeling for EPA air rules to mitigate air impacts to the community?
3. Is it sufficient that the FEIS only conducted a regional-level quantitative MSAT analysis?
4. Is it sufficient that the FEIS did not find any cumulative air impacts to a community located next to a port undergoing immense expansion and surrounded on all sides by two highways, a rail yard, and refineries, and which has a history of air emission concerns (benzene, PM)?

Additional Issues

A. Localized Impacts

- Is it sufficient to rely on compliance with NAAQS to determine there are no Northside community air impacts?
- Are there sufficient monitors in place to identify localized Northside air impacts?
- Is it sufficient not to have analyzed localized traffic pattern impacts on Northside?

B. Cumulative Impacts

- Is it sufficient to say there are no cumulative air impacts?
- Is it sufficient to look at emissions from the port's air emissions from facility operations (Nuencesrail yard, Joe Fulton Expressway, Eagle Ford Shale etc) but not look at the truck and train emissions associated with those activities?
- Is it sufficient to look port activity emissions individually, but not look at the combined emissions of these activities?
- Is it sufficient to have not explicitly analyzed cumulative air emissions that may occur (vessel ,truck, train, facility) from raising the bridge (e.g.truck and rail emissions for no build v. truck and rail emissions for preferred alternative)?

C. Health Impacts

- Is it sufficient to say that information is unavailable/incomplete for an analysis of health impacts?

D. Indirect Impacts

- Is it sufficient to say no indirect air impacts from raising the bridge elevation (from Post-Panamax etc) when DOT has authority over the drayage trucks and trains (despite not having control over marine vessels)?

E. Mitigation

- Should additional air mitigation (beyond reliance on NAAQS) be implemented for the Northside community when the FEIS states there are minor air effects that would be predominantly borne by minority and low-income communities and also states (in another location of the document) that if an impact is predominantly borne by a minority or low-income population it is considered a disproportionately high and adverse impact. DOT Order 5610.2(a) states that if a disproportionately high and adverse impact is identified, the project will not move forward unless all practicable mitigation has been implemented.